Remarks

Claims 29-33 and 39-58 are in the application. Claims 29, 31, 50, and 59 are in independent form. Reconsideration is requested.

Claims 29-35 stand rejected under U.S.C. 103(a) for obviousness over Silverbrook et al US 6,813,039 B1 (hereafter Silverbrook) in combination with McIntyre (US 6,958,821, hereafter McIntyre). Applicant responds as follows.

Information Apparatus

With reference to Silverbrook alone, and particularly the "netpage pen" of Silverbrook, the Examiner states that the "netpage pen" in the cited art discloses an information apparatus, as recited in the present claims. Applicant notes, however, that Silverbrook describes "methods and systems for interacting with computers by means of printed matter and sensing devices" (line 34, Col 1). Silverbrook only describes an optical sensor in the shape of a pen (called netpage pen, Fig. 8) for optically reading printed materials. McIntyre describes a method related "to analyzing one or more images of a user to determine the likelihood of user interest in materials that can be sent to the user" (McIntyre, col. 1, line 15). As shown in figures 7-10 and 12, the input to McIntyre system is an image (e.g., printed) that is optically scanned from printed material by a user.

Claim 29 is amended to recite in its body, rather than its preamble, an information apparatus to which digital data content is downloaded from a server over a network. This feature is described in the application at paragraphs [0096] and [0189], for example. Neither of the cited references teaches or suggests an information apparatus to which digital data content is downloaded from a server over a computer network. Moreover, neither of the cited references teaches or suggests "conforming at the information apparatus at least part of the digital data content into an output data, the conforming using at least in part the device dependent attribute received from the selected wireless output device over the wireless communication channel".

The netpage pen of Silverbrook only obtains digital data content by optical scanning from printed material. The netpage pen includes a "unique identifier"

that is stored in a read-only memory at the time of the manufacture of the netpage pen. The unique identifier functions to identify the netpage pen is not conformed into an output data. Furthermore, the unique identifier of the netpage pen is not digital data content nor is it conformed as output data for output to an output device. Accordingly, Silverbrook does not teach or suggest an information apparatus to which digital data content is downloaded from a server over a computer network. McIntyre is silent on the subject. Applicant submits, therefore, that the cited references do not teach or suggest the information apparatus recited in claim 29.

Amended claim 31 recites a mobile phone information apparatus, as previously recited in dependent claim 47 and described in the application at paragraph [0091], for example. Amended claim 59 also recites a mobile phone information apparatus. The netpage pen of Silverbrook only obtains digital data content by optical scanning. The netpage pen has no mobile phone functionality, and McIntyre is likewise silent on the subject. Applicant submits, therefore, that the cited references do not teach or suggest the mobile phone information apparatus recited in claims 31 and 59.

Amended claim 50 recites an information apparatus from which digital audio or video content is transferred. This feature is described in the application at paragraphs [0008], [0028], and [0079], for example, and corresponds to the audio or video output device recited in claim 58. As further recited in the claim, at least part of the digital audio or video content is conformed at the information apparatus into an audio or video output data. Neither of the cited references teaches or suggests an information apparatus from which digital audio or video content is transferred. Applicant submits, therefore, that the cited references do not teach or suggest the information apparatus recited in claim 50.

Device Dependent Attribute

With reference to Silverbrook the Examiner cites the following passage as disclosing “receiving over the wireless communication channel a device dependent attribute from each wireless device found in the search”:

> In accordance with the invention, there is provided method of interfacing with an Internet resource, including:
>
> providing a document with printed information relating to the Internet resource, and at least one user interactive element representing an associated object for user response in relation to the resource; and
>
> effecting said response upon receipt of response data received from a sensing device with which a user interacts with the element, the sensing device being adapted to transmit the response data to a computer system linked to the Internet, in order to effect said response. (Col. 2, lines 14-26.)

This passage is the first paragraph of the Silverbrook summary of the invention. In reference to the claim feature reciting "receiving over wireless communication channel from each output device found in the search a device dependent attribute that corresponds to each output device and includes at least one of a name, a device type, a device address number, a security code, and a device profile," the Examiner cites a passage stating:

> The pen is wireless and communicates with the netpage printer via a short-range radio link. Tags are sufficiently small and densely arranged that the pen can reliably image at least one tag even on a single click on the page. It is important that the pen recognize the page ID and position on every interaction with the page, since the interaction is stateless. (Col. 8, lines 56-62.)

The Examiner further cites:

> The transmitted digital ink is encrypted for privacy and security and packetized for efficient transmission, but is always flushed on a pen-up event to ensure timely handling in the printer. (Col. 18, lines 13-17.)

The first passage cited by the Examiner refers to a printed document having a "user interactive element " (presumably a printed tag that is printed onto printed matter and corresponds to an Internet resource), "a sensing device" (presumable a Silverbrook netpage pen with which a user manually scans the printed matter), and a computer system to which data is transmitted from the

sensing device (presumable sending data from the netpage pen to the computer system). The second passage cited by the Examiner refers to a "tag," which is a code printed onto the printed document and optically read by the netpage pen. The third passage cited by the Examiner refers to encryption of data sent by the netpage pen, not an attribute of the receiving wireless device. Applicant submits that the cited references, and particularly the cited passages of Silverbrook do not teach or suggest "receiving over wireless communication channel from each output device found in the search a device dependent attribute that corresponds to each output device and includes at least one of a name, a device type, a device address number, a security code, and a device profile,"

Amended claim 29 and claims 50 and 59 each recites "receiving over the wireless communication channel from each wireless output device found in the search a device dependent attribute that corresponds to each wireless output device and includes at least one of a name, a device type, a device address number, a security code, and a device profile that is specific to each wireless device." The passages cited by the Examiner refer to an optical netpage pen reading a "tag" that is printed on a printed document and sending the optically read tag to a computer system. Reading a tag from printed material is not "receiving over the wireless communication channel from each wireless output device found in the search a device dependent attribute. Moreover, the tag is not an attribute that corresponds to an output device. Rather, the tag is a type of Internet link to information that relates to the printed material, and the printed material is not an output device, as recited in the claims.

Nothing in the cited passages, or in any other portions of the cited references, refers to receiving from each wireless output device found in the search any device dependent attribute that corresponds to each wireless output device. Silverbrook makes no mention of sending wirelessly an attribute of each printer or computer system to the Silverbrook netpage pen. Instead, Silverbrook describes a tag being sent from the netpage pen to the computer system, which is opposite from wirelessly sending device dependent attributes corresponding to the output device to the netpage pen. Silverbrook and the other cited references

do not teach or suggest any device attributes corresponding to the output device being sent to the net pen or received at the netpage pen over wireless communication channel. Furthermore Silverbrook and the other cited references do not describe the attributes that correspond to each wireless device found in the search as including at least one of a name, a device type, a device address number, a security code, and a device profile. Applicant submits, therefore, that the cited references do not teach or suggest wirelessly receiving device dependent attributes from each wireless device found in the search, as recited in claims 29, 50 and 59.

Claim 31 recites "obtaining a security key relating to the selected wireless output device at the mobile phone information apparatus." Silverbrook describes encrypting data (i.e., "digital ink") for privacy and security, but makes no mention of a security key "relating to the selected wireless output device." Silverbrook also describes at column 31 "netpage printer security," but the netpage printer security relates to interaction between the printer and the netpage network, not to security between the printer and an information apparatus (e.g. netpage pen). The other cited references are also silent as to this feature. Applicant submits, therefore, that the cited references do not teach or suggest wirelessly receiving device dependent attributes from each wireless device found in the search, as recited in claim 31.

The Examiner cites McIntyre as disclosing "selecting a wireless output device … based at least in part on the received attributes. In support, the Examiner cites the passage:

> This object is achieved by a method of analyzing an image provided by a user to determine the likelihood of user interest in materials related to products of third parties and sending such materials for display or printing for the user, comprising: a) scanning a hard copy of an image provided by a user to provide a digital image and sending such image to a memory location; b) automatically analyzing the scanned digital image to determine the likelihood that materials related to products will be of interest to the user by recognizing features which relate to the product of users, such features being selected from the group consisting of product trademarks, product trade dress, and other products which are

> related to the third party products; and c) selecting one or more items of product materials based on their likelihood of interest to the user and sending them to the user for display or printing. (Col. 2, lines 18-41.)

However, this passage makes clear that McIntyre operates with reference to characteristics of a visual image, typically a printed image or picture. In contrast, the claims or the present application are directed to "device dependent attributes" that correspond to wireless output devices. An output device is not a printed picture or image. An output device generates output. In contrast, a printed picture is a static image that does not perform the output functions of an output device. Accordingly, applicant submit that the hard copy printed image characteristics described by McIntyre does not provide any teaching or suggestion of a device dependent attribute corresponding to an output device, as recited in the claims of the present application.

Content

With regard to claim 29 the Examiner cites a unique identifier that is stored on the netpage pen when it is manufactured:

> Each netpage pen is assigned a unique identifier at time of manufacture which is stored in read-only memory in the pen and in the netpage registration server database. The pen ID 61 uniquely identifies the pen on the netpage network. A netpage pen can "know" a number of netpage printers, and a printer can "know" a number of pens. A pen communicates with a printer via a radio frequency signal whenever it is within range of the printer. (Col. 32, lines 8-15.)

However, claim 29 recites "downloading the digital data content from a server over a network to the information apparatus" and that the content is conformed into output data for output. The feature of conforming the content into output data clarifies that the content relates to data that is to be outputted on an output device. In contrast, the "unique identifier" referred to by the Examiner is clearly not data content to be outputted at an output device and is not received from a server over a network. Instead Siverbrook teaches that "each netpage pen is assigned a unique identifier at time of manufacture"

Likewise, independent claims 31, 50 and 59 recite conforming content into output data to be provided to the output device. The conforming of the content into output data clarifies that the content relates to data that is to be outputted on an output device. In contrast, the "unique identifier" referred to by the Examiner is clearly not data content to be outputted at an output device and is not received from a server over a network.

Combination of References

The Examiner states that Silverbrook and McIntyre are "combinable" because they are from the same field of endeavor of network systems, seemingly, they are in the fields of optical scanning of text or graphic images from printed materials and the analysis of scanned images. However, both references are directed to a field unrelated to the subject matter of the present application and fail to teach or suggest each of the features recited in the claims and, particularly, do not remotely relate to the information apparatus recited in each claim. Neither reference related to an information apparatus that downloads content from a computer network, or a mobile phone information apparatus, or an information apparatus that receives audio or video content. The information apparatus recited in each claim clearly distinguished from the only feature in the cited references, the netpage pen. The cited references do not teach or suggest that the netpage pen download content from a network, or function as a mobile phone information apparatus, or sending audio or video content.

Conclusion

For the foregoing reasons, applicant submits that independent claims 29, 31, 50, and 59, and their respective dependent claims, are patentably distinct from the cited art.

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Respectfully Submitted,

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